

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

| | | |
|-------------------------------------|---|------------------------|
| JOSE RIVERA-ENCARNACION, | : | |
| Petitioner, | : | 1:18-cv-1502 |
| | : | |
| v. | : | Hon. John E. Jones III |
| | : | |
| COMMONWEALTH OF PA, <i>et al.</i> , | : | |
| Respondents. | : | |

ORDER

April 2, 2019

NOW THEREFORE, upon consideration of the petition for writ of habeas corpus (Doc. 1), and in accordance with the Court's memorandum of the same date, it is hereby ORDERED that:

1. The petition for writ of habeas corpus (Doc. 1) pursuant to 28 U.S.C. § 2254 is DISMISSED as time-barred by the statute of limitations. *See* 28 U.S.C. § 2244(d).
2. There is no basis for the issuance of a certificate of appealability. *See* 28 U.S.C. § 2253(c).
3. The Clerk of Court is directed to CLOSE this case.

s/ John E. Jones III
John E. Jones III
United States District Judge